Mysore State

Govt. Old No. H-27, New No. H-15- 75,000- 21-1-55

H.E.L.A. **(195 6) Department.**

R. **SERIES.**

closed

G.O. No. 439, L.A.

429

Dated 25-5-1956.

[Despatch Abstract.]

LAND ACQUISITION - South Kanara District - Mangalore Taluk - Alape Village - S.No.23/1 A2 - Location of Infectious Diseases hospital - Declaration under section 6 of the Land Acquisition Act - Published.

REVENUE DEPARTMENT.

Subject.

LAND ACQUISITION - (South Kanara) - Mangalore Taluk - Alape village - S.No. 23/1A2 - Location of I.D. Hospital - Proposal under Section 4(1) and 6 of Land Acquisition - submitted.

Ref.I.8679/55-3.

Station: Madras. Dated 11-2-56.

Sri M. V. Subramanian, I. C. S., Commissioner of Land Revenue and Development.

Sri A. Somasundaram, B.A., Additional Secretary, Board of Revenue.

***

SPL. SECRETARY TO GOVT. 21 18 FEB 1956 1873 REVENUE LOCAL ADMINISTRATION DEPT.

Read: Board's Ref.I.8679/55-1 dated 13-12-55.
Government Endorsement No.128722/55-L4-1 H.E. & L.A. dept. d/9-1-56.
Collector, South Kanara L.Dis.2450/56 dated 26-1-56.

REFERENCE:

Submitted to Government with revised form Draft Declaration in duplicate.

For Additional Secretary.

To the Secretary to Government, Health Education and Local Administratior Department, with enclosures.
Copy to the Collector of South Kanara.

prn/13/2/

Copy of letter No.L.Dis.2450/56 from the Collector of South Kanara dated 26th January 1956.

Sub: LAND ACQUISITION (south Kanara) - Mangalore taluk - Alape village - No.23/1A2 - Location of I.D. Hospital - Draft Proposals under section 4(1) and Draft declaration under Section 6 of the Land Acquisition Act Revised form of D.D. submitted.

Ref: Board's Ref.I.8679/55-2 dated 17-1-56.

A draft declaration under section 6 of the Land Acquisition Act in the prescribed revised form under G.O.3858 Revenue dated 15-12-55 is enclosed in duplicate.

(True Copy)

For Additional Secretary.

prn/13/2/

3 3

L.Dis.30467-55. S.Kanara Collector's office,
Mangalore dated 8.11.55.

From

Sri M.G.Raja Ram, I.A.S.
Collector of South Kanara.

To

The Secretary to Government,
Health, Education and
Local Administration,
Fort St. George, Madras
Through
The Secretary,
Board of Revenue,
Land Revenue, Chepauk Madras

Sir,

LAND ACQUISITION--South Kanara- Mangalore taluk--Alape village--S.No.32/1A2- Location of I.D Hospital- Proposal under section 4(1) of and 6 of L.A.Act--Report--Submitted.

Ref: Endt No.105100/55-L4 dated 4.11.55 of the Health Education and L.A.Department.

I am submitting the draft notification under section 4(1) and draft declaration under section 6 of the L.A.Act through the Board of Revenue as directed in the endorsement cited.

Yours faithfully,

9.11.55
For Collector.

IC/9.11.55.

E

A.Dis.L7064/55. ..k.Collector's Office,
.. ngalore, dated 8.10.55.

5

From

Sri L.G. Raja Ram, I.A.S.,
Collector of South Kanara, Mangalore.

To

The Secretary to the Government,
Revenue (Land Acquisition) Dept., Fort St.George, Madras-9.
(In duplicate)

Sir,

SUBJECT: Land ACQUISITION (SOUTH KANARA) Mangalore Taluk- Kulpe village- D.No.32/1A2- Location of I.D.Hospital- Proposals under Sec.4(1) & and 6 of the L.A.Act- Report- Submitted.

-:0:-

Ref: G.O.(Rt.)No.496 L.A dated 14.3.1954. (A)

-:o:-

As per the D.D.under Sec.6 of the Land Acquisition Act, approved in the G.O.cited, D.Nos.32/1J 46/1B and 46/6 of Kulpe village, Mangalore Taluk, measuring in all 3.01 acres, were acquired on behalf of the Mangalore Municipality for location of Infectious Diseases hospital. Before submitting draft proposals to the Government under Sec.6 of the Land Acquisition Act, the plots were inspected by the Collector along with the Assistant Director of Public-Health. The Asst.Director of Public Health suggested that a total extent of 5 acres of land should be acquired for the purpose in view of the growing importance of the town and also with a view to have a better lay-out of administrative buildings, buildings for women and children, infective and wards. Hence the Municipality was requested to propose the acquisition of an additional extent of 2 acres of land in view of the opinion expressed by the Health-authorities.

2. Agreeably to the suggestions made to the Mangalore Municipality it has resolved to acquire a portion of D.No.32/1A measuring two decares, in its resolution No.X114 dated 12.6.54 and has applied for the acquisition of the said plot. While sanctioning the acquisition of the said plot the Municipal Council has also sanctioned the necessary funds and has undertaken to abide by the conditions of acquisition. A copy of the council resolution No.X114/12.6.54 is enclosed for perusal. Both the Assistant Director of Public Health, and the District Medical Officer, South Kanara have stated after inspection that the plot is suitable for location of an I.D.hospital,

3. The plot now sought to be acquired is in contiguity with ... o.32/13 which has already been acquired at Rs.2000/- per ac... the same purpose. The Revenue Divisional Officer, Cuddapah, h... values the plot at the same figure.

4. The registered holder of the plot is dead. He is represented by 11 legal heirs who are reported to be owners and enjoyers of the plot. They have objected to the acquisition of the plot in question on the ground that the plot is required by them for construction of residential quarters to the junior members of the family. This is one of the objections raised when the other adjoining plots were acquired. Attention in this connection is invited to this office R.Dis.No.11763.53 dated 24.4.54, on which orders in G.O.(Ms) No.406 L.A. dated 14.3.54 were issued. The plot is required for a public purpose. The objections to the acquisition raised by the interested parties do not hold good in as much as the plot is required for locating a L.A.hospital which is in the interest of the general public. The plot now proposed for acquisition is in contiguity with S.No.32/13 which has already been acquired and the objections raised therefore, do not deserve any consideration and they may therefore be overruled.

5. The plot is devoid of any improvements nor does it contain any religious edifices such as tombs or graveyards. The plot is urgently required by the Municipality for locating the L.A.hospital. This is a case in which the provisions of Sec.17(1) of the L.A.Act can be enforced. The plot is either waste or arable. In the circumstances, I recommend that enquiry under Sec.5(A) of the L.A.Act may be dispensed with and the urgency provisions of the Act under Sec.17(1) applied. The draft notification under Sec.4(1) of the L.A.Act, under Sec.6 of the L.A.Act, both read with Sec.17(1) of the said Act, submitted herewith in duplicate may be approved in order to be published in the Fort St.George Gazette.

6. Copies of the extract of the plot proposed to be acquired shaded in blue pencil, and those already acquired and shaded in red pencil, is enclosed for perusal and return.

Yours faithfully,

7-11-54

for Collector.

Extract from the proceedings of the Mangalore Municipal Council dated 12.6.1954.

-:o:-

R3.10727/54. Specific sanction of the Council is requested for the acquisition of lands R.S.32/1A (Portion-extent 2 acres) of Alape village for the establishment of Infectious disease and Hospital. The council is also requested to abide/conditions of acquisition by

CONDITIONS.

1. Sanctioning funds.
2. Agreeing to pay extra compensation if any, that might be awarded by the court should the case be referred to it.
3. Undertaking to use the land for the purpose of establishment of Infectious diseases Hospital and for no other purposes without the sanction of Government.
4. To use the land for that purpose within a period of two years from the date of handing over the land.
5. To restore the land to the Govt.if they so directed on payment ~~of-compulsory-acquisition-or-of-the-value-of-land-at-the-time-of~~ of compensation awarded less fifteen percent awarded for compulsory acquisition or of the value of land at the time of restoration whichever may be less in the event of the local body not carrying out the purposes for which the land is acquired within the specified period of using the land without the sanction of Government,at any time for any purpose, other than for which it is acquired.

The Council may also request the Land Acquisition Officer to acquire the lands under the emergency clause of L.A.Act.

COUNCIL RESOLUTION NO.114 DATED 12.6.54.

THE COLLECTOR MAY BE ADDRESSED FOR ACQUIRING R.S.NO.32/1A PROTION EXTENT 2 ACRES) AS ADDITIONAL LAND FOR THE T.B.HOSPITAL. THE COUNCIL SANCTION THE NECESSARY FUNDS FOR ACQUISITION AND THE COUNCIL AGREES TO ABIDE BY THE CONDITIONS OF ACQUISITION. THE L.A.OFFICER MAY ALSO BE REQUISTED TO ACQUIRE THE LANDS UNDER THE EMERGENCY CLAUSE OF THE L.A.ACT.

(True Copy)

~~/BY ORDER/~~

7/11/10 ~~Huzur Head Clerk.~~

6

Health Education and
Local Relations

Endorsement No 10576/55-1 dt 4-11-55 L (10)

Returned for re-submission
through the Board of Revenue.

(By order)
S. Krishnaswami 3.11
Asst Secy to

To

The Collector of South
Kanara.

3-11-55

FORM OF NOTIFICATION TO BE ISSUED UNDER SECTION 4 OF THE LAND ACQUISITION ACT 1 OF 1894, AS AMENDED BY ACT XXXVIII OF 1923.

-:o:-

WHEREAS it appears to the Government that specified in the schedule below and situated in the No.81 Alape village Mangalore Taluk South Kanara district is needed for a public purpose, to wit, for the purpose of Inspectious diseases Hospital notice to that effect is hereby given to all whom it may concern in accordance with the provisions of section 4(1) of the Land Acquisition Act I of 1894, as amended by the Land Acquisition Amendment Act XXXVIII of 1923, and the Governor of Madras hereby authorizes the Revenue Divisional Officer, Coondapur his staff and workmen to exercise the powers conferred by section 4(2) of the Act.

Under sub section (4) of Section 17 of the Act, the Governor of Madras directs that in view of the urgency of the case the provisions of section 5-A of the Act shall not apply to the acquisition of the waste or arable lands specified in the schedule

SCHEDULE.

District- South Kanara.
Taluk- Mangalore.
Village. Alape.
Description of land, wet or dry, inam or poramboke with survey or paimash No.S.No.32-1A2 Dry (2.00) acres.

Name of owner or occupier. Aithappa Shetty(Deceased) Regd.holder by legal heirs and enjoyers.
Boundaries of the land required to be taken up ~~North~~.
1) B.Lankappa Alva.
2) Subbakka Hengsu (deased deceased Legal heirs.
1) B.Ramanna Shetty (2) Laxmi Shetthy
3) B.Shashappa Shetty (iv) B.Devappa Shetty
3) B.Lakkappa Shetty (4 B.Thimmappa Naik.
5) Anthakke Hengsu (Deceased) By legal heir Kanthakke.
6) B.Lakkappa Rai.
7) B.Thimmappa Shetty 8) B.Lakkappa Naik.

Approximate extent to be taken up 2-00 acres

Whether Waste or arable Arable.

~~BY ORDER~~

for Collector

Huzur Head Clerk.

S.K.Collector's Office,
Mangalore, Dated 10.55.)

12/11 13

NOTIFICATION.

UNDER Section 6 of the Land Acquisition Act, the Governor of Madras, hereby declares that the land specified below and measuring acres(2-00), be the same a little more or less, is needed for a public purpose, to wit for the location of infectious diseases Hospital and under Section 3 and 7 of the same Act, the ~~deseases Hospital~~ Revenue Divisional Officer, Coondapur is appointed to perform the functions of a Collector under the Act and directed to take order for the acquisition of the said land. Under Sub-section (1) of section 17 of the Act, the Governor of Madras further directs tht the possession of the said land may be taken on the expiry of 15 days from the date of the publication of the notice mentioned in Section 9(1) of the Act. A plan of the land is kept in the office of the Rev.Divl.Office, Coondapur and may be inspected at any time during office hours.

SCHEDULE.

Dt.	Tk.	Village.	Description of land wet or dry, inam or poramboke, with survey or paimash number.	Name of owner or occupier.	Boundaries of the land required to be taken up.	Extent to be taken up.
S.Kanara.	Mangalore.	Alape	Ryotwari Dry S.No.32/1A2	Althappa Shetty (Deceased) Regd. holder.		
				ENJOYERS 1.B.Shekappa Alva 2.Subbakke Hengsu (deceased) by legal hims 1.B.Ramanna Shetty 2.Laxmi Alvathi 3.B.Sheshappa Shetty 4. B.Devappa Shetty. 3.B.Lakkappa Shetty 4.B.Thimmappa Naik. 5.Anthakke Hengsu (deceased) by legal heir Kanthakke 6.B.Lakkappa Rai 7.B.Thimmappa Shetty 8.B.Lakkappa Naik.		(2.00)

~~BY ORDER~~

7.11.51
17-10-51
for Collector

17-10-51

~~Huzur Head Clerk.~~

15 17 15

13

NOTIFICATION.

UNDER Section 6 of Land Acquisition Act, the Governor of Madras, hereby declares that the land specified below and measuring acres(2-00) be the same a little more or less, is needed for a public purpose, to wite for the location of infectious diseases Hospital ~~Spection~~ and under Section 3 and 7 of the same Act, the ~~desc~~ see ~~Hospital~~ Revenue Divisional Officer, Coondapur is appointed to perform the functions of a Collector under the Act and directed to take order for the acquisition of the said land. Under Sub-section (1) of section 17 of the Act, the Govanor of Madras further directs tht the possession of the said land may be taken on the expiry of 15 days from the date of the publication of the notice mentioned in Section 9(1) of the Act. A plan of the land is kept in the office of the Rev.Divl.Office, Coondapur and may be inspected at any time during office hours.

SCHEDULE.

Dt. Tk.	Village.	Description of land wet or dry, inam or poramboke, with survey or paimash number.	Name or owner or occupier.	Boundaries of the land required to be taken up.	Extent to be taken up.
S.Kanara.	Mangalore.	Alape	Ryotwari Dry S.No.32/1A2	Aithappa Shetty (Deceased) Regd. holder.	
			ENJOYERS 1.B.Snakappa Alva 2.Subbakke Hengsu (deceased) by legal heirs - 1.B.Ramanna Shetty 2.Laxmi Alvathi 3.B.Sheshappa Shetty 4. B.Devappa Shetty. 3.B.Lakkappa Shetty 4.B.Thimmappa Naik. 5.Anthakke Hengsu (deceased) by legal heir Kanthakke. 6.B.Lakkappa Rai 7.B.Thimmappa Shetty 8.B.Lakkappa Naik.		(2.00)

/BY ORDER/ for Collector

Huzur Head Clerk.

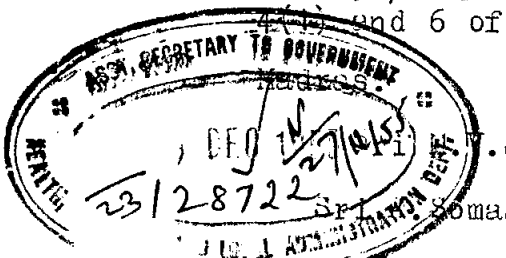
17-10-55

REVENUE DEPARTMENT,

Subject;
LAND ACQUISITION--(South Kanara)--Mangalore Taluk--Alape Village S.No.32/1A2--Location of I.D Hospital--Proposals under Section 4(1) and 6 of Land Acquisition--Submitted.

***

Ref.No.I. 8679/55-1. Dated 13-12-1955.



Read:- From Thiru V.Subramanian, I.C.S., Commissioner of Land Revenue and Development.
Thiru S.Somasundaram, B.A., Addl.Secretary, Board of Revenue.
From the Collector of South Kanara, R.Dis.27064/55 d/8-10-55.
Government Endt.No.105100/55 LA., Health, Education and Local Administration dated 4-11-1955.
From the Collector of South Kanara, L.Dis.30467/55 d/8-11-55.

REFERENCE:

Submitted to the Government.

2. The Board recommends that the draft notification and the draft declaration under Sections 4(1) and 6 with the urgency clause under Section 17(1) of the Land Acquisition Act submitted by the Collector of South Kanara may be approved and ordered to be published in successive issues of the Fort St. George Gazette the 4(1) notification being published earlier.

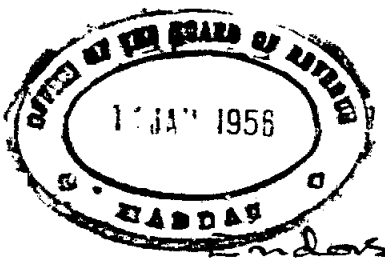
for Addl.Secretary. 17.12.55

To the Secretary to Government, Health, Education and Local Administration Department, Madras.
(With encls. and sketch.)
Copy to the Collector of South Kanara.

nedr.15-12.

17/12

L-2-16



Health. Edn and Local Admn
Dept

L (IV)

Endorsement No 128722/55-4, 9. 9-1-56

234.

Returned herewith re-submission along with the received forms of declaration with reference to G.O.No 3858 Rev 9 15-12-55

(By order)

S. Krishnaswami Iyer
6/1/56
Asst Secy to Govt

RJ
6.1.56.

To

The Board of Revenue
Madras.

Acquisition for the purposes of the state
(Draft declaration under section 6 of the Land Acquisition Act)

The Government having been satisfied, that theland specified in the schedule below, has to be acquired for public purpose, and it having already been decided that Rs.(4600-0-0) four thousand and six hundred only is to be paid out of the funds of the Mangalore Municipality, towards compensation to be awarded for the land, the following declaration is issued under section 6 of the Land Acquisition Act (Act I of 1894)

2. Under section 6 of the Land Acquisition Act, the Governor of Madras hereby declares that the land specified in the schedule below and measuring acres (2.00) be the same a little more or less, is needed for a public purpose, to wit for the location of Infectious Diseases Hospital and under section 3 and 7 of the same Act, the Revenue Divisional Officer,Coondapur is appointed to perform the functions of a Collector under the Act and directed to take order for the acquisition of the said land. Under sub-section (1) of section 17 of the Act, the Governor of Madras further directs that ~~he~~ the possession of the said land may be taken on the expiry of 15 days from the date of the publication of the notice mentioned in section 9(1) of the Act. A plan of theland is kept in the office of the Revenue Divisional Officer,Coondapur and may be inspected at any time during office hours.

SCHEDULE.

1.District: South Kanara.
2.Taluk: Mangalore.
3.Village: Alape.

Description of land wet or dry,inam or poramboke with Survey or Paimash number.	Name of owner or occupier.	Extent to be taken up.
(4)	(5)	(6)
Ryotwari Dry S.No.32/1A2	Aithappa Shetty (deceased) Registered holder. ENJOYERS. 1.B.Sankappa Alva 2.Subbakke Hengsu (deceased) by legal heirs 1.B.Ramanna Shetty 2.Laxmi Alvathi 3.B.Sheshappa Shett, 4.B.Devappa Shetty 3.B.Lakkappa Shetty 4.B.Thimmappa Naika 5.Aithakke Hengsu (deceased) by legal heir Kanthakke 6.B.Lakkappa Rai 7.B.Thimmappa Shetty and 8.B.Lakkappa Naik	Acs 2.00
	Total	2.00

S.Kanara Collector's office)
Mangalore dated 26.1.56.)

28.1.56
For Collector.

C. No. 18973/56

Rev. Sectt. 19—2006—11-11-49.

GOVERNMENT OF MADRAS.

Received _____ 195 *Registered* _____ 195

Abstract.

Land Acquisition – S. Kanara. Dt – Mangalore Taluk Mape village – S. No. 23/1A2 – Location of Infectious Diseases hospital – Notification under sec. 4(1) of L.A. Act – Published.

HELA, (4) DEPARTMENT.

Memo. ~~G.O.~~ R. No. 18973/56-2 (4. LA), dated the 9-4-1956.

(1) READ—the following papers :— G.O. No. 496, L.A., dated

p. 104. from the Collr. of S. Kan R. Dis 27064/55 of S. Kan No. L. Dis. 2450/56

104. from the Bd. of Rev. 8679/55-3.

(P.T.O.

ORDER

The draft notification under section 4 (1) of the Land Acquisition Act, submitted by the BD. of Rev. with its letter read above is approved and will be published in the *Fort St. George Gazette*.

2. (By order of His Excellency the Governor of Madras) The Govt. accept the view that the acquisition is an urgent one and under Section 17(4) of the Land Acquisition Act, direct that the provision of Section 5-A of the Act shall not apply to this case.

Secretary to Government.

To the Superintendent, Government Press (with a notification for publication).
" Board of Revenue, Land Revenue and Settlement.
" Collector of S. Kanara.
" R.D.O., Coondapur

NOTE: The proposal of the Collector of recommendation to apply the urgency clause to the acquisition may be accepted. Revenue may see before issue.

Forwarded.

APL 1958

(By order)

Superintendent.

Rev No 18973.C4/57-1.

LA. Dt 3-4-58.

10 cp

Para 2 of the draft memo at 1/1-2 and 5 is accepted and the file returned to HELA

6/4/56

HELA

6/4/56

HELA

HELA

Memo 316/56/1

6-4-56

Done
ell
7.4.56

C. No. 18973/58 IV 45/25.5

Rev. Sectt. 20—3,004—13-11-45.

GOVERNMENT OF MADRAS.

Received _____ 194 *Registered* _____ 194

Abstract.

Land Acquisition – S. Kanara Dt – Mangalore Taluk. Alape Village – S. No. 23/1A2 – Location of Infectious Diseases Hospital – Decln under sec. 6 of the L.A. Act – Published

Cp 17-19 Cf

HELA/L4 DEPARTMENT.

G.O. No. R. 439, dated the 25-5-1957

(A) READ—the following papers:— ~~From the Collector~~ G.O. No. 496, LA, dt 6-2-56 from the Collr. of S. Kanara, No. R. Dis. 27064/55 dt 14-5-56 dt 18.10.55 and L. Dis. 2450/56 dt 26-1-57 p 1 Cf from the BD. of Rev. Ref. [illegible] 8679/55-3 dt 11-2-57 Memo. No. 18973/L4/58-2 LA dt 9-4-57

ORDER.

~~draft declaration under Section 6~~

The ~~erratum to the draft declaration under Section 6~~ ~~draft notification under Section 48 (1)~~ of the Land Acquisition Act submitted by the ~~Collr~~ BD. of Rev, with its letter read above is approved and will be published ~~in English~~ in the *Fort Saint George Gazette* ~~and in~~ in the ~~District Gazette~~.

p 1 Cf

[P.T.O.

(By order of His Excellency the Governor of Madras)

Dy Secretary to Government.

To the ~~Superintendent, Government Press,~~ with ~~an erratum in diglott~~, for publication, a declaration / a notification

~~Board of Revenue~~, Bd. of Rev.
Collector of S. Kanara (with encl by R.P. (B)
R.D.O Coondapur

Note! The notification under sec. 4(1) of this case was published as notification no. 249 on p. 248 of part I-A of the G.O. of 2-5-57

The entire Compensation to be awarded for the lands ~~Forwarded~~ should be met from the funds of the Mangalore Mfg Co. Bd Rev. need not see the case again. The draft order above is for approved

(By order.)

Superintendent.